



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,038	03/15/2004	Taro Sugahara	1509-490	6855

7590 03/06/2007
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

OMOSEWO, OLUBUSOLA

ART UNIT	PAPER NUMBER
----------	--------------

2168

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/800,038

Applicant(s)

SUGAHARA ET AL.

Examiner

OLUBUSOLA ONI

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5, 7, 11-17 is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 12/11/2006.
2. Claims 1, 5, 7 and 11 have been amended. Claims 6, 8-10 and 18-22 have been cancelled.
3. New grounds of rejection are based on newly amended claim.

Allowable subject matter

4. Claims 5, 7, 11-17 are allowable.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Clark et al. (Pub. No. U.S 2002/0152215).

For claim 1, Clark et al. teaches "a data search system for searching data (See paragraph [0003], [0042]) wherein each of plural metadata includes at least a global unique identifier ([0022]), a data index and a description sentence of base data said unique identifier being an identifier for identifying a specific object (See paragraph [0022], [0024]), each of said metadata being associated with corresponding base data by said data index and being associated with said object by said global unique identifier" (See paragraph [0022], [0024] wherein the metadata is associated with the catalog which includes authors names, a summary and images. However, the metadata as shown in 0022 is associated with the content by the ISBN, UPC or DOI etc); the system comprising:

"a metadata store for storing metadata"(See paragraph [0008]);

"an input for entering said global unique identifier by capturing said global unique identifier from an object" (See paragraph [0042], [0022],[0086]);

"a metadata reader for reading a set of metadata including said entered global unique identifier from said metadata store(See paragraph [0008], [0022] wherein the teachings include selecting metadata from the stored metadata, however, metadata includes identifiers information such as the ISBN, UPC, or DOI).

“a metadata searcher for searching for a specific metadata by searching said read out set of metadata for a specific description sentence”(See paragraph [0008] wherein teachings include selecting specific metadata from the stored metadata that corresponds to electronic content authorized for the retailer).

For claim 2, Clark et al. teaches “wherein a plurality of said metadata includes the same global unique identifier”(See paragraph [0022])

For claim 3, Clark et al. teaches “means for capturing said data index from the specific metadata”(See paragraph [0022], [0024]), and means for capturing base data corresponding to said specific metadata based on said data index”(See paragraph [0022], [0024] wherein the metadata is associated with the catalog which includes authors names, a summary and images. However, the metadata as shown in 0022 is associated with the content by the ISBN, UPC or DOI etc).

For claim 4, Clark et al. teaches “means for capturing said data index from the specific metadata”(See paragraph [0022], [0024]), and means for capturing base data corresponding to said specific metadata based on said data index”(See paragraph [0022], [0024] wherein the metadata is associated with the catalog which includes authors names, a summary and images. However, the metadata as shown in 0022 is associated with the content by the ISBN, UPC or DOI etc).

Response To Arguments

7. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

CONCLUSION

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **OLUBUSOLA ONI** whose telephone number is 571-272-2738. The examiner can normally be reached on 10.00-6.30PM.

Art Unit: 2168

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

OLUBUSOLA ONI KBP
Examiner
Art Unit 2168